

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Elmore *et al.*

Appl. No. 08/981,087

§ 102(e) Date: May 27, 1998

For: **Type F Botulinum Toxin and Use  
Thereof**

Art Unit: 1622

Examiner: (To be assigned)

Atty. Docket: 1791.0010000/RWE

**Associate Power of Attorney**Assistant Commissioner for Patents  
Washington, D.C. 20231

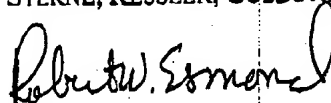
Sir:

The undersigned, Robert W. Esmond, attorney of record in the present application, hereby appoints Arthur R. Crawford, Registration No. 25,327, of the firm Nixon & Vanderhye P.C., 8<sup>th</sup> Floor, 1100 North Glebe Road, Arlington, Virginia 22201-4714, as Associate Attorney/Agent with full power to prosecute the above-identified application. All correspondence should be directed to:

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Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN &amp; FOX P.L.L.C.



Robert W. Esmond  
Attorney for Applicants  
Registration No. 32,893

Date: December 7, 1998

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**POWER OF ATTORNEY FROM ASSIGNEE WITH DELEGATION**

Microbiological Research Authority, a corporation of Great Britain, having a principal place of business at Centre For Applied Microbiology & Research, Porton Down, Salisbury, Wiltshire SP4 0JG Great Britain, is assignee of the entire right, title, and interest for the United States of America (as defined in 35 U.S.C. §100), by reason of an Assignment to the Assignee executed on (1) 1 MAY 98; (2) 1 MAY 98; (3) 5 MAY 98; (4) 1 MAY 98; and (5) 15 MAY 98, of an invention known as Type F Botulinum Toxin and Use Thereof (Attorney Pocket No. 1581.020000/RWE/CBM), which is disclosed and claimed in a patent application of the same title by the inventors Michael J. Elmore, Margaret L. Mauchline, Nigel P. Minton, Vladimir A. Pasechnik, and Richard W. Titball (said application filed on December 12, 1997 at the U.S. Patent and Trademark Office, having Application Number 08/981,087).

The Assignee hereby appoints the following U.S. attorneys to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith: Robert Greene Sterne, Registration No. 28,912; Edward J. Kessler, Registration No. 25,688; Jorge A. Goldstein, Registration No. 29,021; Samuel L. Fox, Registration No. 30,353; David K.S. Cornwell, Registration No. 31,944; Robert W. Esmond, Registration No. 32,893; Tracy-Gene G. Durkin, Registration No. 32,831; Michele A. Cimbala, Registration No. 33,851; Michael B. Ray, Registration No. 33,997; Robert E. Sokohl, Registration No. 36,013; Eric K. Steffe, Registration No. 36,688; and Michael Q. Lee, Registration No. 35,239. The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

The Assignee hereby authorizes the U.S. attorneys named herein to accept and follow instructions from Mathys & Squire, 100 Gray's Inn Road, London WC1X 8AL, Great Britain as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the Assignee. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the Assignee.

Send correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
U.S.A.

Direct phone calls to 202-371-2600.

FOR: Microbiological Research Authority

SIGNATURE: [Signature]

BY: J M HARKER

TITLE: SECRETARY MRA (Comm)

DATE: 15 MAY 1998

PAUSERS\MASSEY\CBM2\1581.020\ASSIGNEE.POA

## Certificate Under 37 C.F.R. § 3.73(b)

Applicant(s): ELMORE et al.Application No: 08/981,087Filed: December 12, 1997For: Type F Botulinum Toxin and Use Thereof

Microbiological Research Authority

(Name of Assignee)

a corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is an assignee of the patent application identified above by virtue of either:

A. ☒ An Assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[or]

B. ☐ A chain of title from the inventor(s) of the patent application identified above to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 5<sup>th</sup> May 1998Name: JM HACKERTitle: SECRETARY MRA (CANR)Signature: [Signature]

COPY

## ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned: (1) Michael J. Elmore; (2) Margaret L. Mauchline; (3) Nigel P. Minton; (4) Vladimir A. Pasechnik; and (5) Richard W. Titball, the undersigned hereby sell(s) and assign(s) to Microbiological Research Authority (the Assignee) his/her entire right, title and interest

check applicable box(es) ☒ for the United States of America (as defined in 35 U.S.C. § 100),  
☒ and throughout the world,

in the invention(s) known as **Type F Botulinum Toxin and Use Thereof** for which application(s) for patent in the United States of America has (have) been executed by the undersigned on (1) 1 May 98; (2) 1/5/98; (3) 5/5/98; (4) 1/05/98; and (5) 15/5/98 (also known as United States Application No. 08/981,087, filed December 12, 1997), in any and all applications thereon, in any and all Letters Patent(s) therefor, and in any and all reissues, extensions, renewals, reexaminations of such applications or Letters Patent(s) and divisional and continuation applications thereof, to the full end of the term or terms for which such Letters Patent(s) issue, including the right to collect for all past, present and future damages, such entire right, title and interest to be held and enjoyed by the above-named Assignee to the same extent as they would have been held and enjoyed by the undersigned had this assignment and sale not been made.

The undersigned agree(s) to execute all papers necessary in connection with the application(s) and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference that may be declared concerning the application(s) or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned hereby represents that the undersigned has full right to convey the entire interest herein assigned, and that the undersigned has not executed, and will not execute, any agreement in conflict therewith.

The undersigned hereby grant(s) Robert Greene Sterne, Esquire, Registration No. 28,912; Edward J. Kessler, Esquire, Registration No. 25,688; Jorge A. Goldstein, Esquire, Registration No. 29,021; Samuel L. Fox, Esquire, Registration No. 30,353; David K.S. Cornwell, Esquire, Registration No. 31,944; Robert W. Esmond, Esquire, Registration No. 32,893; Tracy-Gene G. Durkin, Esquire, Registration No. 32,831; Michele A. Cimbala, Esquire, Registration No. 33,851; Michael B. Ray, Esquire, Registration No. 33,997; Robert E. Sokohl, Esquire, Registration No. 36,013; Eric K. Steffe, Esquire, Registration No. 36,688; and Michael Q. Lee, Esquire, Registration No. 35,239, of STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C., 1100 New York Avenue, N.W., Suite 600, Washington, D.C. 20005-3934, power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned on the date(s) opposite their name(s).

Date: 1 May 98 Signature of Inventor: Michael J. Elmore  
 Michael J. Elmore  
 Date: 1/5/98 Signature of Inventor: M. Mauchline  
 Margaret L. Mauchline  
 Date: 5/5/98 Signature of Inventor: Nigel P. Minton  
 Nigel P. Minton  
 Date: 1/05/98 Signature of Inventor: Vladimir A. Pasechnik  
 Vladimir A. Pasechnik  
 Date: 15/5/98 Signature of Inventor: Richard W. Titball  
 Richard W. Titball